



SDMS DocID 2004773

ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

ORIGINAL
(Req)

NOV 25 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles H. Goebel and Sons, Inc.
John K. Goebel, President
100 Sycamore Avenue
Folsom, PA 19033-1906

**Re: Follow-up 104(e) Request - Charles H. Goebel and Sons, Inc.
Lower Darby Creek Area Superfund Site
Delaware and Philadelphia Counties, Pennsylvania**

Dear Mr. Goebel:

The U.S. Environmental Protection Agency ("EPA") has received the response of Charles H. Goebel and Sons, Inc. ("Goebel") to its February 1, 2002 Information Request. Based on that response and information obtained by EPA as part of its investigation, EPA is seeking additional information concerning the waste disposal activities of Goebel in Philadelphia between 1958 and 1976.

EPA has reviewed your previous information request response dated February 22, 2002 and has determined that additional information and clarification is needed in order to complete its investigation. EPA hereby requests that Goebel respond completely and timely to the information requested in Enclosure F to this letter.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), Goebel is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. § 9601(33), which were transported to, stored, treated, or disposed of at the above referenced facility.

Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.



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Sent To	Charles H. Goebel & Sons.
Street, Apt. No.; or PO Box No.	Folsom, PA. 19033-1906
City, State, Zip+ 4	

ORIGINAL
(Red)

You must respond in writing to this required submission of information within **thirty (30) calendar days** of your receipt of this letter. The response must be signed by an authorized official of Goebel. If, for any reason, you do not provide all information responsive to this letter, in your answer to EPA you must: (1) describe specifically what was not provided, (2) supply to EPA a clear identification of the document(s) not provided, and (3) provide to EPA an appropriate reason why the document(s) was not provided.

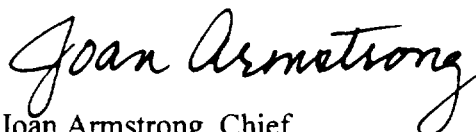
All documents and information should be sent to:

Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any question concerning this matter, please contact Carlyn Winter Prisk at (215) 814-2625 or you may have your attorney contact Brian Nishitani, Senior Assistant Regional Counsel, at (215) 814-2675.

Sincerely,



Joan Armstrong, Chief
PRP Investigation and
Site Information Section

Enclosures: Enclosure A: Lower Darby Creek Area Site Map
 Enclosure B: List of Contractors that May Review Your Response
 Enclosure C: Business Confidentiality Claims/Disclosure of Your Response to
 EPA Contractors and Grantees
 Enclosure D: Definitions
 Enclosure E: Instructions
 Enclosure F: Information Requested

cc: Brian Nishitani, Esq. (3RC44)
 Carlyn Prisk (3HS11)
 April Flipse (PADEP)
 Craig Olewiler (PADEP)



List of Contractors That May Review Your Response

- Daston Corporation -
Contract #68-S3-01-01
Subcontractor to Daston Corporation is:
Dynamac Corporation
Tri State Enterprise Incorporated
- Tetra Tech EM, Inc. -
Contract #68-S3-0002
Subcontractor to Tetra Tech EM, Inc. is:
Eagle Instruments, Inc.
- Ecology and Environment, Inc. -
Contract #68-S3-0001
Subcontractor to Ecology and
Environment, Inc. is:
S & S Engineers, Inc.
- IT Corporation - Contract #68-S3-00-06
Subcontracts to IT Corporation are:
Weavertown Environmental Group
Environmental Restoration Company
- Earth Tech, Inc. - Contract #68-S3-00-07
Subcontractors to Earth Tech, Inc. are:
Industrial Marine Services, Inc.
Cline Oil
Hertz Equipment Rental
- Tetra Tech NUS Inc. -
Contract #68-S6-3003
Subcontractors to Tetra Tech NUS Inc.
are:
Gannett Fleming, Inc.
Dynamic Corporation
C. C. Johnson & Malhotra, P.C.
- CDM-Federal Programs Corporation -
Contract #68-S7-3003
Subcontractors to CDM-Federal
Programs Corporation are:
Tetra Tech EM, Inc.
Robert Kimball & Associates
PMA & Associates
Home Engineering
Pacific Environmental Services
- Black and Veatch Waste Science and
Technology Corporation/Tetra Tech,
Inc. - Contract #68-S7-3002
Subcontractor:
Enviro Consultants Group
- Universe Technologies -
Contract #68-S3-99-02
- Tech Law, Inc. -
Contract #68-W-00-108
- WRS Infrastructure & Environment,
Inc. - Contract # 68-S3-03-02
- Kemron Environmental Services
Contract # 68-S3-03-05
- Industrial Marine Services, Inc.
Contract # 68-S3-03-03
- Guardian Environmental Services, Inc.
68-S3-03-04
- List of Inter-Agency Agreements
General Services Administration
CERCLA File Room
Contractor: Booz-Allen & Hamilton
- General Services Administration
Spectron Superfund Site
Contractor: Booz-Allen & Hamilton
- General Services Administration
Breslube Penn Superfund Site
Contractor: Booz-Allen & Hamilton
- List of Cooperative Agreements
National Association of Hispanic
Elderly - #CQ-822511
- AARP Foundation (Senior
Environmental Employment) -
#824021
#823952

Enclosure C

Business Confidentiality Claims

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

Disclosure of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (see Enclosure B) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employment Program (SEE Enrollees). The SEE program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for agency personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to CERCLA, 42 U.S.C. § 9604(e)(7) and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in the attachment, you must notify EPA in writing at the time you submit such documents.

Enclosure D

Definitions

- The term "**arrangement**" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
- The term "**documents**" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
- The term "**hazardous substance**" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 [of the U.S. Code], (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of [CERCLA], (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 [of the U.S. Code]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
- The term "**pollutant or contaminant**" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release

into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

- The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 et seq.), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act (42 U.S.C. Section 2210), or, for the purposes of section 9604 of [CERCLA] or any other response action, any release of source byproduct, or special nuclear material from any processing site designated under sections 7912(a)(1) or 7942(a) of [CERCLA], and (d) the normal application of fertilizer.
- The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
- The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

Enclosure E

Instructions

1. You are **entitled** to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure C, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure D, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure D. Those terms shall have the meaning set forth in Enclosure D any time such terms are used in this Information Request and/or its Enclosures.

Enclosure F

Information Requested

1. With respect to Goebel's response to Question 2 of EPA's February 1, 2002 Information Request, in which Goebel stated that its business was cabinet making, please describe in detail the materials used to manufacture cabinets between 1958 and 1976. In particular, please identify all materials used to paint or stain the cabinets, and all materials used to clean or lubricate the equipment used to manufacture the cabinets.
2. With respect to Goebel's response to Question 3 in which it identified three individuals with knowledge of Goebel's operations, please indicate whether this list represents all such current or former employees. If it does not, please identify ALL individuals who were employed by Goebel who may have knowledge of the cabinet making operations and waste disposal practices between 1958 and 1976.
3. Please explain on what information Goebel relied to state its belief that Tri-County Hauling was used as a transporter during the period 1974 to 1976. Do you have any reason to believe that other haulers may have been used between 1958 and 1976?
4. Was any of Goebel's waste stored on site? If so, where and in what type of containers was waste stored on site?
5. In Goebel's response to Question 6, it indicated that paint and stain were used in the cabinet making process. Please identify the specific brands or types of paint or stain used.
6. With respect to Goebel's response to Question 6(f) in which Goebel identified Finnaron & Haley and National Chemical as companies that supplied hazardous substances to Goebel, please identify an address for each of these companies.
7. In Goebel's response to Question 7, it indicated that approximately 6 to 8 dumpsters of varying sizes were used per year. Describe the size (e.g. 2 cubic yards, 4 cubic yards, 20 cubic yards) of each of these dumpsters.
8. Who provided the dumpsters for Goebel's use?
9. In Goebel's response to Question 7, it states that the dried and hardened residue of paint or stain in their cans was discarded as waste. Were the paint and stain cans dumped directly into the dumpsters at Goebel's facility? What size were the paint and stain cans? What quantity of paint or stain cans was disposed of each year?
10. Did Goebel operate under any other names, or at any other locations, during the period of 1958 and 1976?

11. If any of the documents solicited in this request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. Goebel's document retention policy;
 - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
 - c. A description of the type of information that would have been contained in the documents; and,
 - d. The name, job title and most current address known to you of the persons who would have produced these documents; the persons who would have been responsible for the retention of these documents; and the person who would have been responsible for the destruction of these documents.



11 420267

CHARLES H. GOEBEL and SONS, Inc.

100 Sycamore Ave., Folsom, Pennsylvania 19033-1906 • (610) 532-4644 • Fax (610) 532-3013

February 22, 2002

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

FEB 28 2002

RE: Request for Submission of Information directed to Charles H. Goebel & Sons, Inc. in connection with the Lower Darby Creek Area Superfund Site - Clearview Landfill, Folcroft landfill and Folcroft Landfill Annex

Dear Ms. Prisk:

On behalf of Charles H. Goebel & Sons, Inc., I am responding to an Environmental Protection Agency ("EPA") information request dated February 1, 2002. This information request was sent by EPA in connection with the above-referenced superfund site pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9604(e). The questions contained in Enclosure F to the EPA's February 1, 2002 letter limit the period of time in question to the years 1958 to 1976. The enclosed response sets forth Charles H. Goebel & Sons' answers to EPA's information request. Charles H. Goebel & Sons specifically reserves the right to amend or supplement its response to the information request to the extent that it deems necessary and permitted pursuant to paragraph 4 of Enclosure E to the information request.

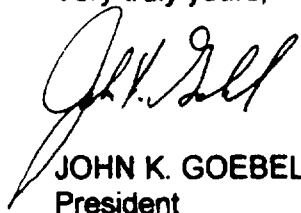
On March 21, 1978, a fire destroyed the business and records of Charles H. Goebel & Sons, Inc. Charles H. Goebel, Sr. owned and operated the business during the period of time in question, but has since died. Accordingly, the information submitted was ascertained from the memories of individuals who worked for the company during the period of time in question. There is some recollection that Charles H. Goebel & Sons, Inc. may have engaged one of the haulers mentioned in the information request for a period of time between 1974 and 1976 to haul its trash.

Charles H. Goebel & Sons, Inc. is unable to conclude that it generated any hazardous waste or that any such waste was transported to and disposed of at the Lower Darby Creek Area Superfund Site.

Ms. Carlyn Winter Prisk
Environmental Protection Agency
Re: Charles H. Goebel & Sons, Inc.
February 22, 2002
Page Two

Charles H. Goebel & Sons, Inc. anticipates that the enclosed information satisfies EPA's request. Please do not hesitate to contact me if I can provide you with additional information.

Very truly yours,



JOHN K. GOEBEL,
President

JKG/dh
Enclosure

ORIGINAL
(Red)

Cabinet
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CHARLES H. GOEBEL & SONS, INC. RESPONSE
TO EPA'S FEBRUARY 1, 2002 REQUEST
FOR INFORMATION PURSUANT TO CERCLA SECTION 104(e)

1. State the name of your company, its mailing address, and telephone number. Further identify:
Charles H. Goebel & Sons, Inc.; 100 Sycamore Avenue, Folsom, PA 19033-1906; (610) 532-4644.
 - a. The dates and states of incorporation of your company;
March 20, 1961; Pennsylvania.
 - b. The date and original state of incorporation of your company; and
March 20, 1961; Pennsylvania.
 - c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.
None.
2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area? What was the nature of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.
Cabinet making; same; no change.
3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.
**John K. Goebel, President Charles H. Goebel & Sons, Inc.;
100 Sycamore Avenue, Folsom, PA 19033; (610)532-4644.
Ronald C. Goebel, Secretary/Treasurer Charles H. Goebel & Sons, Inc.;
100 Sycamore Avenue, Folsom, PA19033; (610) 532-4644.
Charles H. Goebel, Sr.; Former owner and President Charles H. Goebel & Sons, Inc., now deceased.**
4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:
Charles H. Goebel, Sr., John K. Goebel, and Ronald C. Goebel.
 - a. The dates of their operation;

Charles C. Goebel, 1961 to 1983.
John K. and Ronald C. Goebel, 1983 to present.

- b. The nature of their operation; and
Charles H. Goebel, Sr., President.
John K. Goebel, President 1983 to present.
Ronald C. Goebel, Secretary/Treasurer 1983 to present.

- c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).

All documentation and written information through March 1978 was destroyed in a six alarm fire that occurred March 21, 1978, which destroyed the building, business and records of Charles H. Goebel & Sons, Inc. Information and documentation does exist for the last 10 years. It is believed that during the period of 1974 to 1976, Tri-County Hauling was used as the business' trash hauler which is one of the entities identified in question 8. They would be called for a dumpster. It would be delivered, filled with trash and the invoices paid. Charles H. Goebel & Sons, Inc.'s waste consists mainly of wood scraps, cardboard and office trash. After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. possesses no further information or documents responsive to this request.

5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.

The respondent possesses no documents or other information responsive to this request because they were destroyed by fire. The documents dealing with the business's waste would have included invoices for the hauling and checks in payment thereof, plus invoices for the goods purchased by the business.

- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;

Respondent possesses no information responsive to this request, but believes that the information would have included the name of the hauler and cost of the services. Custodian was Charles H. Goebel, Sr., now deceased. Name of vender, identification of goods purchased, date and price.

b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
None.

c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.
None.

6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:

Paint and stain. Three typical MSDS attached.

a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;
Painting and staining cabinets.

b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;
After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. has no information regarding the exact chemical composition, characteristics or physical state, except that it would come in liquid form which was then put on the cabinet as part of its finishing process. The liquid stain or paint is put on the cabinet and only the minimal residue in the can which would dry and harden was the waste.

c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;
Used approximately 100 gallons per year.

d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;
Continuously used in the business.

e. The types and sizes of containers in which these substances were transported and stored; and
1 or 5 gallon cans.

f. The persons or companies that supplied each such hazardous substance to your company.
Finnaren & Haley and National Chemical.

7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:

Wood scraps, cardboard, office trash and the dried and hardened residue of paint or stain in their cans.

- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;
Cabinet making and general administrative office work.
- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;
Paint or stain. See typical MSDS attached. Charles H. Goebel & Sons, Inc. has no information regarding the chemical composition of such product or waste. Its characteristic and physical state would typically be solid. Charles H. Goebel & Sons, Inc.'s business produces no liquid or gas by-products.
- c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;
Wood scraps, cardboard and office trash. About 6 to 8 dumpsters per year. Paint and stain residue minimal, only the dried and hardened portion remaining in a can after use of the liquid to finish cabinets. After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. has no information responsive to this request, except that it is believed that between 6 to 8 dumpsters per year may have been used during the period in question which would include the non-hazardous waste of the business and the dry and hardened portion of paint and stain residue in cans.
- d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;
Wood, cardboard, office trash, and empty paint and stain cans disposed of in dumpster. Waste dumpsters of varying sizes. Approximately 6 to 8 per year.
- e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and
After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. has no information responsive to this

request, but believes that Tri-County Hauling may have been used between 1974 and 1976.

- f. The location and method of treatment and/or disposal of each such by-product or waste.

After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.

8. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckley Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schiavo Bros., Inc., Gene Banta Trash Removal and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:

Upon information and belief, it is believed Tri-County Hauling was used between 1974 and 1976.

- a. The person with whom you made such a contract or arrangement;
After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. has no information responsive to this request.
- b. The date(s) on which or time period during which such material was removed or transported for disposal;
Upon information and belief, sometime between 1974 and 1976.
- c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
Charles H. Goebel & Sons, Inc. has no information regarding the chemical contents of such material, but it would include solid wood scraps, cardboard, office trash, and empty paint and stain cans.
- d. The annual quantity (number of loads, gallons, drums) of such material;
6 to 8 dumpsters per year.
- e. The manner in which such material was containerized for shipment or disposal;
Dumpster.
- f. The location to which such material was transported for disposal;
Upon information and belief, Charles H. Goebel & Sons, Inc. understood that the waste hauler utilized to dispose of its waste did so in accordance with all applicable local, state and federal statutes,

regulations and other laws in effect at the time of their activities.
Charles H. Goebel & Sons, Inc. has no other information responsive to this request.

- g. The person(s) who selected the location to which such material was transported for disposal;
Hauler.
 - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and
Unknown.
 - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.
None.
9. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:
- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas -of the Site;
None from Charles H. Goebel & Sons, Inc.
 - b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or
Charles H. Goebel & Sons, Inc. has no information responsive to this request, although it would believe that the hauler would have made any necessary arrangements.
 - c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.
Charles H. Goebel & Sons, Inc. has no information responsive to this request, although it would believe that the hauler would have made any necessary arrangements.
10. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.

- 01/24/01
- a. The date(s) on which such material was disposed of or treated at the Site;
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.
 - b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.
 - c. The annual quantity (number of loads, gallons, drums) of such material;
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.
 - d. The specific location on the Site where such material was disposed of or treated; and
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.
 - e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s) possession regarding arrangements made to dispose of or treat such material at the Site.
After reasonable investigation, Charles H. Goebel & Sons, Inc. has no information regarding the disposal of its waste during the relevant time period.
11. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:
Not to the knowledge of Charles H. Gobel & Sons, Inc.
- a. The date(s) the spill(s)/release(s) occurred;
Not applicable.
 - b. The composition (i.e., chemical analysis) of the materials which were spilled/released;
Not applicable.
 - c. The response made by you or on your behalf with respect to the spill(s)/release(s); and
Not applicable.

- d. The packaging, transportation, and final disposition of the materials which were spilled/released.
Not applicable.

12. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.

Charles H. Goebel, Sr., now deceased, and the same person identified in answer 3.

13. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.
No.

14. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

After reasonable investigation, to the best of its knowledge, Charles H. Goebel & Sons, Inc. has no other information which may assist the EPA.

15. Representative of your establishment(s):

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.

**John K. Goebel, President;
100 Sycamore Avenue, Folsom, PA 19033; (610) 532-4644.**

- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.

John K. Goebel, President;

100 Sycamore Avenue, Folsom, PA 19033; (610) 532-4644.

16. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

All documents, written information and business records were destroyed in a fire on March 21, 1978.

- a. Your document retention policy;
Currently 10 years.
- b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
Burned by fire which destroyed the building, business and records of Charles H. Goebel & Sons, Inc. on March 21, 1978.
- c. A description of the type of information that would have been contained in the documents; and
Dates, prices, invoices, canceled checks, customers, vendors, payroll records, and general business records.
- d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.
Charles H. Goebel, Sr., now deceased.

CHARLES H. GOEBEL & SONS, INC., INC.

By: _____


John K. Goebel, President

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Effects on
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Effects on**SECTION II HAZARDOUS INGREDIENTS & EXPOSURE LIMITS (cont.)**

CHEMICAL NAME	CAS #	%	LIMIT VALUES
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SP. NAME

64742-89-8

6.12

N/A

SECTION III PHYSICAL/CHEMICAL CHARACTERISTICS

Boiling Point: 148 to 290 deg F.
Vapor Pressure (mm Hg.): No Data
Vapor Density (AIR = 1): heavier than air
Solubility in Water: No Data
% Volatile / Volume: 77
Appearance and Odor: No Data
pH: No Data
Specific Gravity (H2O = 1): 1.00
Miscellaneous Information
Evaporation Rate: Slower than ether.

SECTION IV FIRE AND EXPLOSION HAZARD DATA

Flash Point: 45 deg. F.
Flammable Limits: No Data
Lower Explosive Limit (LEL): 0.90
Upper Explosive Limit (UEL): No Data
Extinguishing Media
Foam, carbon dioxide or dry chemical. Water fog may lessen fire intensity.
Special Fire Fighting Procedures
During emergency conditions, decomposition products can cause health hazard. Use self-contained breathing apparatus with full face shield operated in pressure demand or other positive pressure mode.
Unusual Fire and Explosion Hazards
Keep containers tightly closed. Isolate from heat, electrical equipment, sparks and open flame. Closed containers may explode when exposed to extreme heat. Vapors are heavier than air and may travel along the ground, collect in low areas, or may ignite at distant locations. Do not weld on or near container, even when empty.

SECTION V REACTIVITY DATA

Stable: Yes
Hazardous Polymerization May Occur: No
Conditions to Avoid
Avoid high temperatures, direct heating.
Incompatibility (Material to Avoid)
Avoid contact with strong oxidizing agents.
Hazardous Decomposition or Byproducts
In case of thermal decomposition, carbon dioxide and carbon monoxide will form.

M A T E R I A L S A F E T Y D A T A S H E E T

*Chemveer Sealer (931-0024-00) A
Part #931002400

Guardman Products, Inc.
145 Divident Road
Rocky Hill, CT 06067
(203) 563-2811

***** HMIS RATINGS *****
Health: 3 Flammability: 3 Reactivity: 0 Pers. Prot. Index:

***** NO NFPA RATINGS *****

SECTION I PRODUCT IDENTITY

Product/Trade Name(s): *Chemveer Sealer (931-0024-00) A
Part Number: 931002400
MSDS Date: 02/16/96
CAS #: N/A
Category: N/A
Distributor: N/A
Chemical Name: N/A
Formula: N/A
Brief Description: Lacquer Coating

SECTION II HAZARDOUS INGREDIENTS & EXPOSURE LIMITS

CHEMICAL NAME	CAS #	%	LIMIT VALUES		
ETHYL BENZENE	100-41-4	2.34	PEL	100 ppm	
			PEL	435 mg/m3	
BUTYL ALCOHOL	71-36-3	3.39	PEL	100 ppm	
			PEL	300 mg/m3	
TOLUENE	90-00-0	0.14			see 29 CFR 1910.1048
PENTYL ALCOHOL	67-36-1	10.64	PEL	200 ppm	
			PEL	260 mg/m3	
XYLENE	100-82-3	22.30	8 HOUR TWA	200 ppm	see Table Z-2
			ACUTE, CHRONIC	300 ppm	see Table Z-2
			MAX. PEAK CONC.	500 ppm	see Table Z-2
			MAX. DURATION	10 minutes	see Table Z-2
XYLENE	1230-20-7	13.83	PEL	100 ppm	
			PEL	435 mg/m3	
ETHYL ALCOHOL	64-17-5	4.94	PEL	1,000 ppm	
			PEL	1,900 mg/m3	
ETHYL ALCOHOL	78-53-1	5.77	PEL	100 ppm	
			PEL	300 mg/m3	

M A T E R I A L S A F E T Y D A T A S H E E T

*Autumn Wiping Stain (925-2164-00) A

Part #925216400 *02*

329-3062

Guardspan Products, Inc.
145 Dividend Road
Rocky Hill, CT 06067
(800) 424-9300

***** HMIS RATINGS *****

Health: 2 Flammability: 1 Reactivity: 3 Pers. Prot. Index:

***** NO NFPA RATINGS *****

SECTION I PRODUCT IDENTITY

Product/Trade Name(s): *Autumn Wiping Stain (925-2164-00) A
Part Number: 925216400
MSDS Date: 02/16/96
CAS #: N/A
Category: Pigment Stain
Distributor: N/A
Chemical Name: N/A
Formula: N/A
Brief Description: HAND WIPING STAIN

SECTION II HAZARDOUS INGREDIENTS & EXPOSURE LIMITS

CHEMICAL NAME	CAS #	%	LIMIT VALUES			
*1,2,4-TRIMETHYLBENZENE	95-63-6	10.76	N/A			
*ALUMINUM OXIDE	1344-28-1	0.08	PEL	15 mg/SD	total dust	
			PEL	5 mg/m3	respirable fraction	
*TOLUENE	108-88-3	1.87	8 HOUR TWA		200 ppm	see Table Z-2
			ACGHP. CEILING		300 ppm	see Table Z-2
			MAX. PEAK CONC.		500 ppm	see Table Z-2
			MAX. DURATION		10 minutes	see Table Z-2
*XYLENE	1330-20-7	2.75	PEL	100 ppm		
			PEL	435 mg/m3		
CRYSTALLINE SILICA	1317-85-9	0.09	PEL	250 (85102+5)	mg/m3 (resp. dust)	
			PEL	10 (85102+2)	mg/m3 (resp. dust)	
			PEL	10 (85102+2)	mg/m3 (total dust)	
			see Table Z-2 for an explanation			
COBALT	98-62-8	0.08	PEL	50 ppm		
			PEL	245 mg/m3		
			use protection to avoid skin exposure			
ALCOHOL-TRICHL C-95	64-17-8	0.13	PEL	1,000 ppm		
			PEL	1,900 mg/m3		



104171

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEB 01 2002

Charles H. Goebel & Sons, Inc.
100 Sycamore Avenue
Folsom, PA 19033

Attention: Jack Goebel, President

Re: Required Submission of Information
Lower Darby Creek Area Superfund Site - Clearview Landfill, Folcroft Landfill, and
Folcroft Landfill Annex

Dear Mr. Goebel:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning the release, or threat of release, of hazardous substances, pollutants or contaminants into the environment at the Clearview Landfill ("Clearview"), Folcroft Landfill ("Folcroft"), and Folcroft Landfill Annex ("Folcroft Annex") portions of the Lower Darby Creek Area Superfund site, located in Delaware and Philadelphia Counties, Pennsylvania (hereinafter the "Site").

The Site is located in an industrialized portion of southeastern Delaware County and southwestern Philadelphia County, Pennsylvania, along an approximately two-mile stretch of Darby Creek, between Cobbs Creek to the north and the tidal marsh of John Heinz National Wildlife Refuge at Tinicum to the south (see Enclosure A). The Site also includes contaminated portions of areas along Darby Creek downstream as well as a portion of a 3500-acre tidal marsh.

EPA has reason to believe that wastes generated at locations owned or operated by Charles H. Goebel & Sons, Inc., may have been transported to and disposed of at the Site, specifically at Clearview, Folcroft, and Folcroft Annex. Clearview is located on the east side of Darby Creek; Folcroft and Folcroft Annex are located on the west side of the creek.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), EPA has the authority to require Charles H. Goebel & Sons, Inc. (hereinafter "you"), to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate to hazardous substances

Customer Service Hotline: 1-800-438-2474

as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Site.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

You must respond in writing to this required submission of information within **fifteen (15) calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For all other entities, the response must be signed by an authorized official of that entity.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

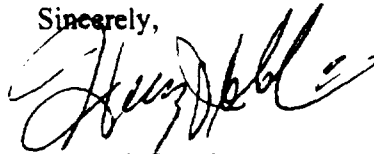
All documents and information should be sent to:

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501 et seq.

If you have any questions concerning this matter, please contact Civil Investigator Carlyn Winter Prisk at (215) 814-2625, or have your attorney contact Brian Nishitani of EPA's Office of Regional Counsel at (215) 814-2675. To discuss the Site in general or the nature of the cleanup, contact Kristine Matzko, the Remedial Project Manager, at (215) 814-5719.

Sincerely,



Henry J. Sokolowski
Chief, Enforcement and
Federal Facilities Branch

Customer Service Hotline: 1-800-438-2474

Enclosures: Enclosure A: Lower Darby Creek Area Site Map
 Enclosure B: Business Confidentiality Claims/Disclosure of Your Response to
 EPA Contractors and Grantees
 Enclosure C: List of Contractors that May Review Your Response
 Enclosure D: Definitions
 Enclosure E: Instructions
 Enclosure F: Questions

cc: Mr. Brian Nishitani (3RC44) EPA Region III, Office of Regional Counsel
 Ms. Kristine Matzko (3HS21) EPA Region III, Remedial Project Manager
 Mr. Craig Olewiler Pennsylvania Department of Environmental Protection
 Ms. April Flipse Pennsylvania Department of Environmental Protection

Enclosure A



Enclosure B

Business Confidentiality Claims

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

Disclosure of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (See "Enclosure C") to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. Section 9604(e)(7) and EPA's regulations at 40 C.F.R. Section 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure C, you must notify EPA in writing at the time you submit such documents.

Customer Service Hotline: 1-800-438-2474

Enclosure C

List of Contractors that May Review Your Response

- Daston Corporation -
Contract #68-S3-01-01
Subcontractor to Daston Corporation is:
Dynamac Corporation
 - Tetra Tech EM, Inc. -
Contract #68-S3-0002
Subcontractor to Tetra Tech EM, Inc. is
Eagle Instruments, Inc.
 - Ecology and Environment, Inc. -
Contract #68-S3-001
Subcontractor to Ecology and
Environment, Inc. is:
S & S Engineers, Inc.
 - Resource Applications, Inc. -
Contract #68-S3-003
Subcontracts to Resource Applications,
Inc. are:
C.C. Johnson & Malhotra, Inc.
Scientific & Environment Associates,
Inc.
Environmental Quality Management,
Inc.
 - IT Corporation - Contract #68-S#-00-06
Subcontracts to IT Corporation are:
Weavertown Environmental Group
Environmental Restoration Company
 - Earth Tech, Inc. - Contract #68-S3-00-07
Subcontractors to Earth Tech, Inc. are:
Industrial Marine Services, Inc.
Cline Oil
Hertz Equipment Rental
 - Guardian Environmental Services, Inc.
Contract #68-S3-99-04
 - ECG Industries, Inc. -
Contract #68-S3-99-05
Subcontractor to ECG Industries, Inc. is:
Earth Tech, Inc.
 - Industrial Marine Services, Inc. -
Contract #68-S3-99-06
Subcontractors to Industrial Marine
Services, Inc. are:
Earth Tech, Inc.
Engineering and Environment, Inc.
 - Tetra Tech NUS, Inc. -
Contract #68-S6-3003
Subcontractors to Tetra Tech NUS, Inc.
are:
Gannett Flemming, Inc.
Dynamac Corporation
C.C. Johnson & Malhotra, P.C.
 - CDM-Federal Programs Corporation -
Contract #68-S7-3003
Subcontractors to CDM-Federal
Programs Corporation are:
Tetra Tech EM, Inc.
Robert Kimball & Associates
PMA & Associates
Home Engineering
Pacific Environmental Services
 - Black and Veatch Waste Science and
Technology Corporation/Tetra Tech, Inc.
Contract #68-S7-3002
 - Universe Technologies -
Contract #68-S3-99-02
 - Tech Law, Inc. - Contract #68-W-00-108
Subcontractor to Tech Law, Inc. is:
Gannett Flemming, Inc.
- List of Cooperative Agreements**
- National Association of Hispanic Elderly
- #CQ-822511
 - AARP Foundation (Senior
Environmental Employment)
- #824021, #823952

Customer Service Hotline: 1-800-438-2474

Enclosure D

Definitions

- The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
- The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
- The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 [of the U.S. Code], (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of [CERCLA], (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 [of the U.S. Code]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

- The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).
- The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 et seq.), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act (42 U.S.C. Section 2210), or, for the purposes of section 9604 of [CERCLA] or any other response action, any release of source byproduct, or special nuclear material from any processing site designated under sections 7912(a)(1) or 7942(a) of [CERCLA], and (d) the normal application of fertilizer.
- The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
- The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

Enclosure E

Instructions

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure B, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure D, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure D. Those terms shall have the meaning set forth in Enclosure D any time such terms are used in this Information Request and/or its Enclosures.

01/11/2001
(Red)

Enclosure F

QUESTIONS

1. State the name of your company, its mailing address, and telephone number. Further identify:
 - a. The dates and states of incorporation of your company;
 - b. The date and original state of incorporation of your company; and
 - c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.
2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area? What was the nature of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.
3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.
4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:
 - a. The dates of their operation;
 - b. The nature of their operation; and
 - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).
5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.

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- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;
 - b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
 - c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.
6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:
- a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;
 - c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;
 - d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - e. The types and sizes of containers in which these substances were transported and stored; and
 - f. The persons or companies that supplied each such hazardous substance to your company.
7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:
- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;

- c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;
 - e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and
 - f. The location and method of treatment and/or disposal of each such by-product or waste.
8. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckly Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schiavo Bros., Inc., Gene Banta Trash Removal and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:
- a. The person with whom you made such a contract or arrangement;
 - b. The date(s) on which or time period during which such material was removed or transported for disposal;
 - c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - d. The annual quantity (number of loads, gallons, drums) of such material;
 - e. The manner in which such material was containerized for shipment or disposal;
 - f. The location to which such material was transported for disposal;
 - g. The person(s) who selected the location to which such material was transported for disposal;
 - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and
 - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.

9. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:
- Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;
 - Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or
 - Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.
10. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
- The date(s) on which such material was disposed of or treated at the Site;
 - The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - The annual quantity (number of loads, gallons, drums) of such material;
 - The specific location on the Site where such material was disposed of or treated; and
 - Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.
11. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:
- The date(s) the spill(s)/release(s) occurred;
 - The composition (i.e., chemical analysis) of the materials which were spilled/released;
 - The response made by you or on your behalf with respect to the spill(s)/release(s); and
 - The packaging, transportation, and final disposition of the materials which were spilled/released.

12. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.
13. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.
14. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.
15. Representative of your establishment(s):
- Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.
 - Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.
16. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- Your document retention policy;
 - A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
 - A description of the type of information that would have been contained in the documents; and
 - The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

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